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SUBJECT: REACTION TO KHMER ROUGE LEADER'S DEATH

1. (SBU) Summary. Ung Choeun, widely known as Ta Mok, age 82, passed away on July 21 at a military hospital where he had been hospitalized since June 29. Since his passing, government officials, the media, and civil society leaders have discussed the impact of his death on the proceedings of the KRT; specifically, the concern that other elderly leaders of the Khmer Rouge might die before the ECCC trials are completed and justice is realized for the victims of Cambodia's genocide of 1975-79. End Summary.

Ta Mok Dies, Escapes Justice

2. (U) Ung Choeun, widely known as Ta Mok, passed away on July 21 at the Military Hospital of Preah Ketomealea, following a recent illness. A former senior commander of the Khmer Rouge, Ta Mok had remained in military detention since his arrest in 1999 awaiting trial for alleged involvement in the genocide committed during the Khmer Rouge period (1975-79). Om Yenteng, President of the Government's Human Rights Committee and a senior advisor to Prime Minister Hun Sen, relayed the government's disappointment that the KR leader passed away before facing justice. Yenteng told the Embassy that both the military detention facility and medics at the hospital tried to save Ta Mok, but the former Khmer Rouge leader could not survive due to old age compounded by a variety of diseases and history of poor health. Pok Ponn, a government military prosecutor, said the military court regretted that Ta Mok's life could not be saved despite the best efforts of the military hospital.

3. (U) Ta Mok died just days after the Extraordinary Chamber in the Court of Cambodia (ECCC) investigating judges and prosecutors began their work on July 10. The former Khmer Rouge commander was among a handful of senior leaders of the Khmer Rouge to stand trial before the ECCC. The rest are also elderly and could die before the ECCC's completion - a concern shared by many government officials and civil society leaders.

Opposition Leader Demands Autopsy; Local Reaction

4. (SBU) Opposition leader Sam Rainsy demanded that the government carry out a forensic examination to determine the cause of Ta Mok's death. Stating that he felt sorry for the loss of an important defendant in the upcoming trials, Sam Rainsy said the timing of Ta Mok's death - coming at the beginning of ECCC's work - was too coincidental. "I fear that someone was behind his death," Sam Rainsy told the Embassy on July 21. "They might fear that, with Ta Mok alive, his testimony could affect them or the former Khmer Rouge leader might be willing to tell the truth before the tribunal." Additionally, Sam Rainsy demanded the ECCC and the government take effective and immediate action to protect the safety and health of other senior Khmer Rouge leaders to ensure they stand trial.

5. (U) ECCC spokesman Reach Sambath expressed the ECCC's regret

over Ta Mok's death because Ta Mok was a potential source of genocide-related information. The spokesman added that the ECCC believes Ta Mok received appropriate care and treatment prior to his death, noting that a group of Cambodian Red Cross representatives visited Ta Mok at the hospital.

¶16. (SBU) Kem Sokha, Director of Cambodian Center for Human Rights (CCHR) said that Ta Mok's death was unfortunate as he was considered an important defendant and potential witness for the ECCC. As a senior former Khmer Rouge commander, Ta Mok was well placed to understand what transpired under Pol Pot that led to the deaths of over one million Cambodians between the years 1975-79. Concerning Ta Mok's death, Sokha blamed the Cambodian government in part because, according to complaints from Ta Mok's relatives, the military hospital where Ta Mok was treated was inadequate. Sokha warned that the government should pay greater attention to the health of Kaing Guek Eav, alias Duch, who is also in military detention awaiting trial before the ECCC.

¶17. (SBU) Kek Galabru, LICADHO director, said that she was sorry for Ta Mok's death but could not lay blame on the government absent a medical examination. She further expressed regret over the long delay in establishing the ECCC and urged expedited trials for those surviving members of the Khmer Rouge regime. While the ECCC is unlikely to provide judicial satisfaction to every victim of the Khmer Rouge, the trials can be a symbol of justice that could prevent further impunity in Cambodia and other countries in the world, she noted.

Funeral in Anlong Veng

¶18. (U) On July 21, Ta Mok's body returned to Anlong Veng, the former stronghold of the Khmer Rouge in northwestern Cambodia's Oddar Meanchey province where Ta Mok was based in 1997 and where Pol

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Pot died in 1997 under Ta Mok's custody. Ta Mok received Buddhist burial rituals and his funeral drew hundreds of well-wishers to Anlong Veng throughout the weekend. An American journalist who witnessed the event (and who had visited Anlong Veng in the mid-1990s before Ta Mok's arrest in 1997) noted the older tensions of being in a former Khmer Rouge-held zone had dissipated. Former Khmer Rouge cadre in the region have moved on with their lives and the communities are more open to outsiders, he said. The funeral for Ta Mok and outpouring of sympathy in Anlong Veng over his passing stood in stark contrast to the mood throughout much of the rest of the country where Cambodians remembered the former Khmer Rouge leader as the regional commander in the Southwest zone, where treatment of the population was often considered the harshest - even by Khmer Rouge standards.

Comment

¶19. (SBU) We believe that Ta Mok died of natural causes due to his age, complications from a history of diseases and old injuries, and rudimentary medical treatment - but no poorer than what the vast majority of Cambodians receive. We put no stock in speculations regarding foul play. However, Cambodians are rightfully concerned that other elderly Khmer Rouge leaders may also escape justice before the ECCC trials are completed in the court's three-year tenure, given that international tribunals tend to continue beyond their projected timeframe. An ECCC detention facility will not be completed before mid-2007; until then, the court is unwilling to take responsibility - for personal security or medical care - for Duch or any of the other potential defendants. End Comment.

MUSSOMELI